

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

CANDACE SITTNER, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

COUNTRY CLUB, INC. d/b/a
THE MASTERS CLUB; and
MIKE KAP, individually,

Defendants.

C/A: 4:15-cv-05043-RBH

**JOINT MOTION
FOR APPROVAL OF
FAIR LABOR STANDARDS ACT
SETTLEMENT**

Plaintiffs, through their undersigned counsel, and Defendants, through their undersigned counsel (Plaintiffs and Defendants jointly “Parties”), hereby jointly move this Court for approval of settlement of this action. Plaintiffs allege Defendants violated the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (hereafter “FLSA”), in particular, by violating § 203(m), the Tip Credit. Defendants deny any liability under the FLSA.

There has been a vigorous dispute between the Parties as to the underlying facts and the applicable law in this matter. After considerable discussion and review, the Parties have agreed to a settlement. The Parties have agreed to keep the terms of the settlement agreement confidential and request that this Court approve their settlement.¹

The Parties will submit the specific terms of the confidential settlement to the Court for approval, but such terms are not contained in this Motion in an effort to preserve the confidential nature of the Parties’ agreement.

¹ This procedure was followed and approved by this Court in the actions *Tyler McCoy, et al. v. RP, Inc., et al.*, Case No. 2:14-cv-3171-PMD; *Andrew W. Browder, et al. v. Peninsula Grill Associates, LLC*, Case No. 2:14-cv-4135-PMD ; and *Bret Herspold, et al. v. King Kong Sushi Bar & Grill, LLC*, Case No. 4:14-CV-03418-RBH.

Joint Motion for Approval of Fair Labor Standards Act Settlement
C/A: 4:15-cv-05043-RBH

The Parties believe the settlement reached and agreed upon to be fair and reasonable. Based on the foregoing, the Parties hereby move for a Court Order approving the Settlement Agreement reached by the Parties.

We so move and consent this 13th day of September, 2017.

WE CONSENT:

/s/ Bruce E. Miller

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